

## Employment Facts For Ontario Students

Ontario's workplaces are governed by laws that you should know about — laws that set standards of employment and laws that create rights and responsibilities to protect workers' health and safety.

Provincial legislation applies in most workplaces. Federal law, however, covers such industries as airlines, banks, broadcasting, railways, inter-provincial trucking, and shipping.

This folder outlines legislation administered by the Ontario Ministry of Labour. It also refers to labour laws administered by other provincial ministries and departments of the federal government.

## District Offices

For additional information concerning Ontario law, contact the nearest district office of the Ministry of Labour.

This brochure is prepared for convenience only. For accurate reference, recourse should be had to the Revised Statutes and Regulations of Ontario.

## Minimum Wage

The Ontario minimum wage for students working in general industry is \$4.55 an hour. This applies to students under 18 who work 28 hours or less in a week, or who work during school holidays. A student 18 years or over must be paid the minimum rate of \$5.40 an hour.

If students who are under 18 work more than 28 hours a week during the school year they are entitled to the regular minimum wage of \$5.40 an hour. This applies to all hours worked in a week, not just those in excess of 28. During school holidays, however, students under 18 may work in excess of 28 hours a week at the lower minimum rate of \$4.55 an hour.

The minimum hourly rate for an employee who serves liquor directly to a customer in any place for which a licence or a permit has been issued under the Liquor Licence Act is \$4.90 an hour. All rates became effective on October 1, 1990.

## Equal Pay

The Employment Standards Act stipulates that men and women must receive equal pay for equal work. Differentials in wages are permitted if they are based on such factors as seniority, merit or quantity or quality of production of work, or on any factor other than the sex of the worker.

## Minimum Ages

- In construction, 16 years, but a 15-year-old person may work if (s)he has been granted permission under the Education Act, Ontario Regulation 532/83.
- In the window cleaning industry, 18 years.
- In a logging operation, 16 years.
- In a factory other than a logging operation, 15 years.
- In a workplace other than a factory, 14 years.

Young people of 14 and 15 may not be employed during school hours unless they have been excused from attendance at school under the Education Act, Ontario Regulation 532/83, Supervised Alternative Learning for Excused Pupils.

## Hours of Work

Employers who require more than eight hours of work a day or 48 hours work a week must obtain a permit from the director of the Employment Standards Branch of the Ministry of Labour. Employees may not be required to work beyond these limits without their consent or agreement or that of their agent. Special provisions apply in certain industries.

## Overtime Pay

Students in general industry must be paid at least the rate of 1-1/2 times their regular rate for all hours in excess of 44 hours in a week.

Special overtime provisions have been established for certain industries and students working in such industries shall be paid overtime rates for all excess hours based on these conditions.

## Public Holidays

Qualified employees are entitled to eight public holidays with pay: New Year's Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day or a day substituted for one of the above.

To qualify, the worker must be employed for the three months immediately preceding the holiday, earn wages on 12 days of the four work-weeks preceding the holiday, and work the regular work day preceding and following the holiday.

With the major exceptions of the hotel and restaurant industries and hospitals, where special rules apply, any employee who works on any of the days named as public holidays must be paid a premium rate of 1-1/2 times the regular rate.

## Vacation Pay

Employees are entitled to vacation pay at the rate of four per cent of all monies earned. No minimum period of employment is required for qualification. After one year of service, employees are entitled to two weeks' vacation with pay. Employees must receive vacation pay, and any wages due, not later than seven days after the termination of employment.

## Termination Notice

Workers must receive written notice of termination of employment if they have been employed for three months or more. The length of notice depends on the employee's length of service. However, termination notice does not apply under certain conditions, including dismissal for wilful misconduct or disobedience or wilful neglect of duty or on the completion of a specific term or task for which the employee was hired.

## Occupational Health and Safety

On-the-job health and safety in all workplaces is a joint responsibility of workers and management. Employers and employees must comply with the **Occupational Health and Safety Act**. Employers must ensure healthy and safe workplace environments and employees must work in a safe manner at all times.

## Follow the Rules

Despite this, many on-the-job accidents happen each year. Students in the workplace are required to follow the safety rules at work.

Wear safety equipment if the regulations or your employer requires it. This may include such things as a hard hat, safety shoes, goggles and special gloves under some circumstances.

## Report Injuries

If you suffer an injury, however slight, you are required to report it immediately.

If you see dangerous conditions, report them to your supervisor and, if corrective action is not taken promptly, notify a member of your joint health and safety committee, the union official or the nearest Ministry of Labour district office.

Legislation forbids employers to discipline employees for seeking enforcement of the safety legislation.

The Workers' Compensation Board (WCB) is responsible for administering the *Workers' Compensation Act*, which provides compensation to workers who suffer from workplace injuries or industrial disease. The board compensates workers through payment of lost wages, payment of all health care costs that arise from the injury or illness, and retraining programs.

Workers who are permanently disabled by a work-related injury or disease may be eligible for one or both of the following: an economic-loss award, which compensates for future loss of earnings and non-economic-loss award, which compensates for the loss of enjoyment of non-work-related aspects of life.

Students employed at summer jobs by employers covered by the Act are eligible for all benefits. If you need more information, the board has a series of brochures and videos available, free of charge. Contact the WCB office nearest you; they're in the blue pages.

Every resident is eligible for Ontario health coverage. Beginning in 1991, every eligible individual should have received a new, 10-digit Ontario Health Number, which replaces his or her previous OHIP number.

For information on any matter concerning your health coverage, telephone, write or visit your nearest Ministry of Health office. See the blue pages of your telephone book.

Any student paid in whole or in part on a time-worked or fixed salary basis must be employed at least 15 hours or make at least \$136 (gross pay) in a weekly pay period in order to pay unemployment insurance premiums and become insured. Enquiries: Employment and Immigration Canada.

Every worker must have a social insurance number, assigned to all citizens and permanent residents by the federal government as a method of identification for tax and insurance purposes. Application forms are obtainable at any Canada Employment Centre, Employment and Immigration Canada.

Normally, as soon as a worker goes on an employer's payroll, income tax deductions are made from wages at source. Student employees may claim exemption from income tax deductions at source by filing a T.D. 1 form, supplied by the employer. It must certify that their earnings for the year will not exceed the basic exemption. Enquiries: Revenue Canada.

It is compulsory for employers of workers between the ages of 18 and 70 to make deductions from wages and to make matching contributions towards the Canada Pension Plan. For students employed before their 18th birthday, deductions start with the first pay in the next month following the student's 18th birthday. For a refund of any excess contributions, students must file an income tax return at the end of the year, enclosing the T4 slip received from their employer. Enquiries: Revenue Canada.

The protection of the Human Rights Code relating to employment applies equally to students and adults. A qualified student cannot be discriminated against in a job because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (which includes pregnancy), age (18-65), record of offences, marital status, family status, handicap or sexual orientation.

The Code is administered by the Ontario Human Rights Commission, Ontario Ministry of Citizenship.



Additional information may be obtained from the district offices, Ontario Ministry of Labour, in the following cities:

**Barrie**  
114 Worsley Street  
L4M 1M1  
Telephone: (705) 722-6642

**Elliot Lake (Mining Only)**  
151 Ontario Avenue  
P5A 2T2  
Telephone: (705) 848-2885

**Hamilton**  
119 King Street West  
L8N 3Z9  
Telephone: (416) 521-7736

**Kenora**  
808 Robertson Street  
P9N 3X3  
Telephone: (807) 468-3128

**Kingston**  
115 Clarence Street  
K7L 5N6  
Telephone: (613) 545-0989

**Kirkland Lake (Mining Only)**  
6 Tweedsmuir Avenue  
P2N 1H9  
Telephone: (705) 567-5292

**Kitchener**  
824 King Street West  
N2G 1G1  
Telephone: (519) 744-8101

**London**  
205 Oxford Street East  
N6A 5G6  
Telephone: (519) 439-3231

**North Bay**  
1500 Fisher Street  
Northgate Square  
P1B 2H3  
Telephone: (705) 476-2711

**Ottawa**  
2197 Riverside Drive  
K1H 7X3  
Telephone: (613) 738-2809

**Peterborough**  
815 High Street  
Parklane Plaza  
K9J 8J9  
Telephone: (705) 867-1800

**St. Catharines**  
205 King St.  
L2R 3J5  
Telephone: (416) 682-7261

For toll-free Ministry of Labour numbers check the Blue Pages in your telephone book. The Blue Pages will also provide the numbers of other provincial or federal government offices referred to in this folder.

**Sarnia**  
700 Christina Street North  
N7V 3C2  
Telephone: (519) 336-1200

**Sault Ste. Marie**  
390 Bay Street  
P6A 1X2  
Telephone: (705) 949-3331

**Sudbury**  
199 Larch Street  
P3E 5P9  
Telephone: (705) 675-4455

**Thunder Bay**  
435 James Street South  
P7E 6E3  
Telephone: (807) 475-1691

**Timmins**  
273 Third Avenue  
P4N 1E2  
Telephone: (705) 267-6231

**Toronto East**  
2500 Lawrence Avenue East  
Scarborough, Ontario  
M1P 2R7  
Telephone: (416) 750-3557

**Toronto West**  
2 Robert Speck Parkway  
Mississauga, Ontario  
L4Z 1H8  
Telephone: (416) 273-7800

**Toronto Head Office**  
400 University Avenue  
M7A 1T7  
Telephone:  
Employment Standards  
(416) 326-7160  
Construction Health and Safety  
(416) 326-7770  
Industrial Health and Safety  
(416) 326-7900  
Mining Health and Safety  
(705) 670-7400  
1-800-461-6325

**Windsor**  
500 Ouellette Avenue  
N9A 1B3  
Telephone: (519) 256-8277



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